

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

**FILED**

**MAY 05 2017**

Clerk, U.S. District Court  
District Of Montana  
Missoula

JEFFERY J. LOUT,

Plaintiff,

vs.

ROXANNE TUSS, et al.,

Defendants.

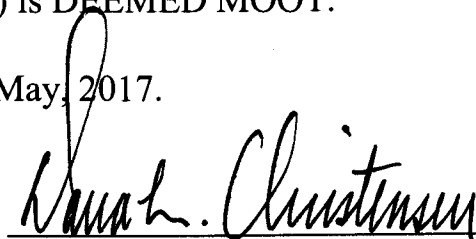
CV 15-00055-H-DLC-JTJ

ORDER

Pursuant to Plaintiff Jeffery Lout's Notice of Conceding and Motion to Withdraw Claim II (Doc. 100) and the Joint Motion and Stipulation for Dismissal of Count II, signed by both parties or their counsel and filed by counsel for Defendants (Doc. 102),

IT IS HEREBY ORDERED that Mr. Lout's Motion to Withdraw Claim II (Doc. 100) is GRANTED and Count II of the above-entitled cause of action and Defendants Tuss, Wood, and Pentland are hereby DISMISSED WITH PREJUDICE. Defendants Tuss, Pentland, and Wood's Motion for Summary Judgment on Count II (Doc. 93) is DEEMED MOOT.

DATED this 5<sup>th</sup> day of May, 2017.



Dana L. Christensen, Chief Judge  
United States District Court